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Senate Republicans target 'MI Home' legislation for quick action

LANSING – The rights of Michigan's private property owners will be more secure and clearly defined thanks to legislation targeted for quick action, announced state Sens. Tony Stamas and Cameron S. Brown.

Following a U.S. Supreme Court decision in the Kelo v. City of New London case, which allows the seizure of private property for private economic development projects, Stamas and Brown have put together a plan to help protect the rights of Michigan's private property owners.

Stamas has introduced Senate Joint Resolution E a constitutional amendment dubbed "MI Home" to strengthen Michigan's constitution by defining what constitutes public use and clearly stating that land cannot be taken away for private economic purposes.

"Private property rights are one of the principles our nation was founded upon," said Stamas, R-Midland. "The court's decision basically gives the decision making power back to the states. Although the Michigan Supreme Court has ruled in favor of property owners in the past, we need this constitutional amendment to make sure those rights remain intact."

The 5-4 U.S. Supreme Court decision upheld a Connecticut city's taking of private homes to be demolished and transferred the land to private developers to make room for an office complex. The court also ruled that states and municipalities have the right to make their own laws providing more protection regarding the seizure of private property.

According to the majority opinion, the decision was made based on cases in which the court previously interpreted "public use" to include urban revitalization and land redistribution in addition to more traditional projects such as bridges and highways.

Brown's legislation, Senate Bill 693, strengthens Michigan's existing eminent domain statute and clarifies that private business economic development could not fall under this "public use" definition.

"This Supreme Court decision is a wake up call," said Brown, R-Fawn River Township. "We must take action now and make sure that the private property rights of Michigan residents are protected."

The Senate Committee on Transportation will hold hearings on the proposed legislation later today. If approved, Stamas' amendment is slated to be on the ballot for the 2006 election. Brown's legislation is expected to be brought before the full Senate later this fall.

The legislation and amendment are supported by Senate Majority Leader Ken Sikkema, R-Wyoming.

"Few things are as important to people as protecting their property against government seizure," Sikkema said. "Senators Stamas and Brown are to be commended for leading the charge on this issue to ensure the rights every property owner in Michigan."